

Original filed 11/21/06

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DARRELL MCGHEE,
Petitioner,

vs.


SCOTT KERNAN, Warden,
Respondent.

C 06-0744 JF (PR)
ORDER OF DISMISSAL

Petitioner, a state prisoner proceeding pro se, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 and a motion to proceed in forma pauperis. On August 16, 2006, the Court denied Petitioner's motions to proceed in forma pauperis and ordered Petitioner to pay the \$5.00 filing fee within thirty days. The Court notified Petitioner that failure to pay the filing fee would result in the Court dismissing the case without prejudice for failure to pay the filing fee. As of the date of this order, Petitioner has not paid the filing fee, or communicated with the Court. Accordingly, the instant petition is DISMISSED without prejudice for failure to pay the filing fee.

IT IS SO ORDERED.

DATED: 11/20/06


JEREMY FOGEL
United States District Judge

1 A copy of this ruling was mailed to the following:

2 Darrell McGhee
3 C-84197
4 California State Prison Folsom (New)
5 P.O. Box 290066
6 Represa, CA 95671-0066
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